U.S. Department of Justice

JMK:JKornblut:rmd:#286

Washington, D.C. 20530

JUN 17 1986

James H. Lesar, Esq.
Attorney at Law
Suite 900
1000 Wilson Boulevard
Arlington, Virginia 22209

Dear Mr. Lesar:

In responding to your January 9, 1984 request for information regarding the assassination of Dr. Martin Luther King, Jr. contained in the House Select Committee on Assassinations (HSCA) correspondence file of the Federal Bureau of Investigation (FBI), the FBI referred one document to this office for review and a direct response to you. The FBI considered your January 9, 1984 letter as a request on behalf of Mr. Harold Weisberg for those materials located in the HSCA file which pertain exclusively to Dr. King.

We reviewed the subject document which is a December 21, 1977 memorandum from then Assistant Attorney General Barbara Allen Babcock to former FBI Director Clarence M. Kelly. This inter-agency memorandum contains attorney-client privileged information and is therefore exempt pursuant to the Freedom of Information Act, 5 U.S.C. § 552(b)(5).

Because you may disagree with the withholding of this document, you are hereby advised of the appeal procedures of this agency.

To appeal. you must write within thirty working days of the receipt of this letter to the Office of Legal Policy, United States Department of Justice, Attention: Office of Information and Privacy, Washington, D.C. 20530. Both the letter and the envelope should be clearly marked: "FOIA APPEAL." Thereafter, judicial review would be available to you either in the federal judicial district in which you reside or have a principal place of business, or in the United States

District Court for the District of Columbia, which is where the document is located.

Sincerely,

James M. Kovakas

James M. Kovakas
Attorney In Charge
FOI/PA Office, Civil Division